

Reconsideration is respectfully requested of the rejection of Claim 8 under 35 USC 103(a) as being unpatentable over Ely et al. in view of Walker and further in view of Van Der Weij et al (US 5,781,245).

Reconsideration is respectfully requested of the rejection of Claims 9 and 10 under 35 USC 103(a) as being unpatentable over Hare et al. (US 6,084,638) in view of Ely.

Reconsideration is respectfully requested of the rejection of Claim 10 under 35 USC 103(a) as being unpatentable over Hare et al (US 6,084,638) in view of Ely and further in view of Walker.

Walker discloses "The mirror" experiment comprising six multi-user on-line worlds which reflected a broadcast material, a BBC2 multimedia magazine series "The Net". The worlds were launched on 13th January with the broadcast of the first program. The starting point of an Inhabited TV "Program" is a professionally authored framework analogous to the program structure of traditional broadcast TV. The long-term vision for Inhabited TV extends to high-speed terrestrial and satellite networks linking into set-top boxes or network computers in the home to form a global "virtual society". However delivering "The mirror" as an early experimental project, required an existing platform and infrastructure which could deliver interactive, multi-user virtual environments to a large community of "citizens", and hence delivery over the public Internet to a PC was the only practical choice for the network and client hardware.

Ely discloses a broadband system comprising a broadband switch network, a broadband session controller and a broadband

service control point. The broadband system provides various services. A user can select services using a menu with selection buttons such as conventional broadcast, VOD or videoconferencing (see col.10, 1.6-10; Fig.6).

Regarding Claim1, Walker does not disclose the claim limitation of "enabling switching between the broadcasting mode and the conference mode". Ely discloses a menu with selection buttons such as conventional broadcast, VOD or videoconferencing. The Examiner asserts that it would have been obvious to one skilled in the art to modify Walker by providing a menu including a plurality of services to viewers to allow viewers selecting one of the desired broadband services in the quick and efficient manner.

Applicants respectfully submit Walker discloses that the actual implementation of The Mirror comprises six multi-user worlds available online and not broadcast over the television network like the broadcast BBC2 series "The Net". Although "the long term vision for Inhabited TV extends to high-speed terrestrial and satellite networks linking into set-top boxes or network computers in the home to form a global "virtual society", delivery over the Internet to a PC was the technical choice made for actual implementation of The Mirror. Thus, although a long-term goal is to deliver The Mirror to set-top boxes, such technical implementation was not chosen because the network and client hardware were not practically available. Since this long term goal implementation was not actually implemented and is not described in Walker, Walker cannot possibly teach or suggest switching between the broadcasting mode and the conferencing mode. Thus, Walker does not give any teaching, suggestion or incentive to enable switching between

the broadcast of the TV program and delivery of the Inhabited TV to users through their set-top boxes according to the long-term vision for the Inhabited TV since such implementation has not been actually implemented. Indeed, the description of the Mirror experiment as disclosed in Walker pertains to the implementation of the Mirror over the Internet. It would therefore not have been obvious to one skilled in the art to modify Walker by providing a menu enabling switching between the broadcast of the TV program and the on-line virtual worlds as actually implemented by Walker, or, between the broadcast of the TV program and the long-term goal delivery of the Inhabited TV to set-top boxes which has not been practically implemented.

The Examiner has not met the burden of showing a prima facie case of obviousness and the rejection of Claim 1 under 35 USC 103 over Walker in view of Ely is incorrect.

As to Claim 7, as mentioned by the Examiner, Ely neither discloses nor suggests a trigger unit for triggering formation of at least one group of end users upon an event relating to the broadcasting. In addition, Walker discloses the six on-line virtual worlds being linked by an entry portal, which highlighted a "world of the week" corresponding with the broadcast TV program. Walker does not disclose formation of a group of end users during the broadcast of the TV program. Thus, neither Walker nor Ely discloses a trigger unit triggering the formation of a group of users during broadcast. Neither Walker nor Ely, alone or in combination, teaches the invention as claimed in Claim 7.

Regarding Claim 9, the Examiner states that Hare does not disclose an apparatus controlling switching according to the

invention in response to a control signal received from a server. Thus, Hare does not disclose a control signal of the invention. Ely discloses a menu with selection buttons such as conventional broadcast, VOD or videoconferencing. Ely does not disclose a client apparatus controlling switching between the services in response to a control signal from the server. In Ely, the user of the client apparatus selects one the services. So even if the teaching of Ely and Hare were to be combined, the result would still not teach the claim limitation of the client apparatus being operative to selectively control switching in response to a control signal received from a server. Neither Ely nor Hare teaches nor suggests, alone or in combination, a client apparatus as claimed in Claim 9.

It is respectfully submitted that independent Claims 1, 7 and 9 are patentable over Hare, Walker and Ely. It is also respectfully submitted that dependent Claims 2-6, 8 and 10 are patentable over Hare, Walker and Ely at least based on their dependencies.

Applicants respectfully submit that they have answered all issues raised by the Examiner and that the application is accordingly in condition for allowance. Such allowance is therefore respectfully requested.

Please charge any fees other than the issue fee to deposit account 14-1270.

Please credit any overpayments to the same account.

Respectfully submitted,

Dated: April 09, 2002

By Gwenaelle Le Pennec
Gwenaelle Le Pennec
Limited Recognition under 37 C.F.R. 10.9(b)

(408) 617 4837

PHA 23383 FOA 03.27.02.doc

6

APPENDIX A

Version with Markings
to Show Changes Made to the Claims

The following is a marked up version of amended Claim 7:

7. (AMENDED) A system for controlling communication between multiple end users at geographically different locations, the system comprising:
- a server;
 - a respective one of multiple clients for a respective one of the end users, the clients being coupled to the server; wherein:
 - the server comprises:
 - a transmission unit for broadcasting content information to the users;
 - a trigger unit for triggering formation during the broadcasting of at least one group of end users upon an event relating to the broadcasting;
 - a unit for controlling the formation of the group coupled to the trigger unit; and
 - each respective client being enabled to switch between making accessible to the respective end user the broadcasted content information and enabling entering a conference between eth end users of the group via the client.

Official

FACSIMILE TRANSMISSION
TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

TO: EXAMINER VJ N60CK
EXAMINER'S FAX NUMBER (703) 872-9315
ART UNIT 2611
SERIAL NO. 09/053,448

FROM: Guenaëlle Le Penec
REGISTRATION NUMBER: Limited Recognition

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591
TELEPHONE: (408) 617-4837

I certify that this document consisting of 8 pages (including this cover sheet) is being transmitted via facsimile to the United States Patent and Trademark Office at the telephone number set forth above on April 9, 2002.

Guenaëlle Le Penec
Fax Operator